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**IN THE DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ZOE BARRIE

V.

**JOSEPH SAFWAN SHAHEEN AND
PURE TRANSPORTATION, LLC**

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§

Civil Action No. 1:21-cv-00265

JURY DEMAND

**DEFENDANTS JOSEPH SAFWAN SHAHEEN AND PURE
TRANSPORTATION, LLC'S NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:

Pursuant to 28 U.S.C. §§ 1332(a), 1441(a) and 1446(a), named Defendants JOSEPH SAFWAN SHAHEEN and PURE TRANSPORTATION, LLC file this Notice of Removal, hereby removing this case from the 201st Judicial District Court of Travis County, Texas to the United States District Court for the Western District of Texas, Austin Division. In support of this Notice of Removal, Defendants respectfully show the Court as follows:

A. INTRODUCTION

1. Plaintiff is ZOE BARRIE. Defendants are JOSEPH SAFWAN SHAHEEN and PURE TRANSPORTATION, LLC.

2. On March 9, 2021, Plaintiff Zoe Barrie sued Defendant Joseph Safwan Shaheen for negligence and Defendant Pure Transportation, LLC for negligent entrustment in the 201st Judicial District Court, Travis County, Texas; Case No. D-1-GN-21-001049 (the "lawsuit" or "suit"). This lawsuit involves an automobile accident which occurred on or about February 4, 2021, between Plaintiff and Defendant Shaheen. Plaintiff is now alleging that the accident caused her to sustain bodily injuries and other damages and has pled in his Original Petition that she "asserts monetary relief in excess of \$1,000,000.00."

3. Defendant Joseph Safwan Shaheen was served with citation on March 23, 2021 and, to counsel's knowledge, Defendant Pure Transportation, LLC has not been served with a citation in the state court case: Cause No. D-1-GN-21-001049; *Zoe Barrie v. Joseph Safwan Shaheen, et al.*; in the 201st District Court of Travis County, Texas.

B. BASIS FOR REMOVAL

4. **Diversity Jurisdiction** – Removal is proper because there is complete diversity between the parties, 28 U.S.C. §1332(a); *Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894, 899-900 (9th Cir. 2006). Plaintiff is a citizen of the state of Texas. Defendant Joseph Safwan Shaheen is a citizen of Michigan and Defendant Pure Transportation, LLC is a Michigan limited liability company doing business in the State of Texas.

5. **The Amount in Controversy Exceeds \$75,000** – The amount in controversy exceeds \$75,000.00, excluding interest and costs. 28 U.S.C. §1332(a); *Andrews v. E.I. du Pont de Nemours & Co.*, 447 F.3d 510, 514-15 (7th Cir. 2006). In its lawsuit, Plaintiff seeks monetary in excess of \$1,000,000.00.

6. Copies of all pleadings, process, orders, and other filings in the state-court suit are attached to this notice as required by 28 U.S.C. §1446(a).

7. Venue is proper in this district under 28 U.S.C. §1441(a) because the state court where the suit has been pending is located in this district.

8. Defendants Joseph Safwan Shaheen and Pure Transportation, LLC will promptly file a copy of this notice of removal with the clerk of the state court where the suit has been pending.

C. JURY DEMAND

9. Plaintiff demanded a jury in the state court suit.

D. CONCLUSION

10. For these reasons, Joseph Safwan Shaheen and Pure Transportation, LLC ask the Court to remove this suit to the U.S. District Court for the Western District of Texas, Austin Division, and for such other and further relief, both general and special, at law and in equity, to which Defendants may show themselves justly entitled.

Respectfully submitted,

FEE, SMITH, SHARP & VITULLO, L.L.P.

/s/ Bret A. Sanders

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**ATTORNEYS FOR DEFENDANTS SAFWAN
SHAHEEN AND PURE TRANSPORTATION, LLC**

CERTIFICATE OF SERVICE

THIS WILL CERTIFY that a true and correct copy of the foregoing instrument has been e-served/mailed to all attorneys of record in this cause of action on the 24th day of March, 2021 as follows:

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Gavin McInnis
Louis Durbin
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/s/ Bret A. Sanders

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